

DOCKET

April 22: Public Safety & Transportation; Public Facilities
April 28: Real Property Reuse

Continued
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Tuesday, April 21, 2015
7:45 PM, Newton City Hall
To be reported on
MONDAY, MAY 4, 2015

CITY OF NEWTON

IN BOARD OF ALDERMEN

REFERRED TO LAND USE COMMITTEE

Request to Withdraw without Prejudice:

#480-14(2) STEPHEN VONA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to restore and expand an existing structure known as the Turtle Lane Playhouse to provide a mix of uses including preserving the theater use, adding a street-level restaurant with office space above, and constructing a separate 23-unit multi-family structure with a below grade parking garage for 30 cars at 283 MELROSE STREET, Ward 4, Auburndale, on land known as SBL 41, 14, 10 containing approximately 43,783 sf of land [currently zoned MULTI RESIDENCE 1] in a proposed MIXED USE 4 DISTRICT. Ref: Sec 30-24, 30-23, 30-13(h)(2) Table B, 30-13(j)(1),(2),(3), 30-15(w)(1) and (4)(a) and (b), (6)(b), 30-5(b)(4), 30-19(d)(2), (11), (13), (18), 30-19(k), and (m) of the City of Newton Rev Zoning Ord, 2012.

#109-14(2) GEORGE SALLES requesting a one-year EXTENSION of TIME in which to EXERCISE special permit #109-14, granted on May 19, 2014, to construct a one-story kitchen addition containing approximately 200 square feet at the rear of an existing single-family dwelling at 11 SOLON STREET, Ward 5, Newton Highlands. Ref: Sec 30-24(c)(5) of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing to be **reassigned** for May 5, 2015:*

#78-15 BETH KIRSCH petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow more than three customers or pupils in a home business and to waive one parking stall associated with the proposed business at 27 WALDORF ROAD, Ward 5, Newton Highlands, on land known as SBL 54, 46, 8, containing approximately 4,883 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-8(c)(4), (c)(11)c and e) 30-8(c) and (c)(9) of the city of Newton Rev Zoning Ord, 2012.

Public Hearings to be assigned for May 12, 2015:

- #65-15(2) THOMAS C. CHALMERS AUSTIN DESIGN, INC. for KATHLEEN & NEAL KENSLEA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition to the basement and first floor levels of a single-family dwelling, which will increase the Floor Area Ratio from .35 to .41, where .36 is the maximum allowed by right, at 20 KINGSTON ROAD, Ward 6, Newton Highlands on land known as SBL 54, 21, 10, containing approximately 11,902 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15 Table 1, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.
- #89-15 NOBLE and DEVINE HOLDING COMPANY, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a restaurant with more than 50 seats (94 seats), to allow a 1/3 reduction in the parking requirement, to waive 20 parking stalls, to allow parking in the side and rear setbacks, to allow a maneuvering aisle less than 24 feet wide, to waive screening, interior landscaping, lighting, surfacing and striping, and bicycle parking requirements at 271-283 AUBURN STREET, Ward 4, Auburndale, on land known as SBL 44, 25, 2, containing approximately 17,772 sq. ft. of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-11(d)(9), 30-19(d)(13), (d)(18), 30-19(h)(1), (3)a, 30-19(i)(1) and (2), 30-19(j)(1) and (2), 30-19(k), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.
- #90-15 JAMES P. ROBERTSON JR. & CLAIRE RYAN-ROBERTSON petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE in order to raze an existing garage and rebuild a larger 1½-story garage to accommodate two cars and to build a porch and interior finished space on the front of a single-family dwelling, which will increase the Floor Area Ratio from .30 to .34, where .33 is the maximum allowed by right, at 158 NEWTONVILLE AVENUE, Ward 1, Newton, on land known as SBL 12, 22, 19, containing approximately 15,052 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(g) and (m), 30-15 Table 1, 30-15(u)(2), 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2012.
- #91-15 CP NEEDHAM STREET LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to convert existing retail space to a restaurant use, to allow parking requirements to be met off-site (at 118-210 Needham Street), to allow parking within a setback in a parking facility with 5 or less parking stalls, to waive off-street loading requirements, and to waive lighting and screening requirements in a parking facility at 180 NEEDHAM STREET and to AMEND SPECIAL PERMIT/SITE PLAN APPROVAL #182-09, dated 11/07/09, which allowed up to 6,000 sf of retail space to be converted to restaurant use, in order to expand parking within a setback in a facility with more than 5 parking stalls, to increase the number of parking stalls accessed by a nonconforming aisle width, to waive requirements for vegetative screening and lighting for a parking facility with 5 or

more parking stalls at 188-210 NEEDHAM STREET to accommodate the parking proposed for 180 Needham Street, Ward 8, Newton Upper Falls, both of which properties are located in a district zoned MIXED USE 1. Ref: 180 Needham Street: 30-24, 30-23, 30-13(b)(5), 30-19(f)(2), 30-19(g)(1), 30-19(i), 30-19(j), 30-19(l), 30-19(m) and 188-210 Needham Street: 30-24, 30-23, 30-21(b), 30-19(h)(1), and (h)(3), 30-19(i), 30-19(j), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

#92-15 ANDREW CONSIGLI, 131 CHARLESBANK ROAD LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 2-unit addition to an existing 2-family dwelling at 131 CHARLESBANK ROAD, Ward 1, Newton Corner, on land known as SBL 71, 7, 25, containing approximately 14,080 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 30-24, 30-23, 30-9(d)(1) of the City of Newton Rev Zoning Ord, 2012.

#93-15 CAPASSO REALTY/PACKARD COVE ASSOCIATES LLP petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive 5 parking stalls, to allow parking in the front and side setbacks, to waive the maneuvering aisle width, to allow a driveway entrance in excess of 25 feet, to allow tandem parking, and to waive parking lot screening and lighting requirements in order to locate a food establishment at 339 RIVER STREET, Ward 4, West Newton, on land known as SBL 44, 15, 13, containing approximately 10,150 sq. ft. of land in a district zoned BUSINESS 2. Ref: 30-24, 30-23, 30-19(d), 30-19(h)(1), 30-19(h)(3)b and (4)b and (5)a, 30-19(i)(1), 30-19(j), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing to be assigned for May 19, 2015:

#480-14(3) STEPHEN VONA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to restore and expand an existing structure known as the Turtle Lane Playhouse with office space above, to provide a mixed use building with an addition containing 6 dwelling units at street level and above and a second building containing a 23-unit multi-family dwelling with a below grade parking garage for 30 cars at 283 MELROSE STREET, Ward 4, Auburndale, on land known as SBL 41, 14, 10 containing approximately 43,783 sf of land [currently zoned MULTI RESIDENCE 1] in a proposed MIXED USE 4 DISTRICT. Ref: Sec 30-24, 30-23, 30-13(h)(2) Table B, 30-13(j)(1),(2),(3), 30-15 Table 3, 30-15(w)(1) and (4) and (w)(6), 30-5(b)(4), 30-19(d)(2), and (d)(18), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

OTHER COMMUNICATIONS

Lateral Crossing

#94-15 NSTAR ELECTRIC d/b/a EVERSOURCE ENERGY, petitioning for a grant of location to install 25'± of conduit in BEACON STREET from Pole #31/180 to 1701 Beacon Street.

COMMISSIONER OF PUBLIC WORKS APPROVED

REFERRED TO ZONING & PLANNING COMMITTEE

- #95-15 ALD. CROSSLEY, JOHNSON, LEARY, HESS-MAHAN, DANBERG, ALBRIGHT AND BLAZAR requesting a discussion with the Planning Department to consider the mix of uses in the Wells Avenue Office Park, with and without a second egress to the site, pursuant to the recent MAPC study recommending a strategic introduction of retail and restaurant uses to attract and sustain healthy commercial uses, and some number of residential units sufficient to support an economically viable and vibrant mixed use environment. [04/13/15 @ 2:46PM]
- #96-15 HIS HONOR THE MAYOR requesting Board of Aldermen authorization, pursuant to the 2013 Revised Citizen Participation Plan, to submit to the US Department of Housing and Urban Development (HUD) the FY2016-2020 Consolidated Plan and the FY2016 Annual Action Plan for the city of Newton Community Development Block Grant (CDBG) and Emergency Solution Grant (ESG) funds and the WestMetro HOME Consortium. These Plans must be submitted to HUD by May 15, 2015. [04/13/15 @ 3:03PM]
- #97-15 HIS HONOR THE MAYOR requesting Board of Aldermen approval of a conservation restriction for the Waban Hill Reservoir property located in Chestnut Hill, pursuant to the provision of Chapter 153 of the Acts of 2013, as a condition of sale to the City. [04/13/15 @ 11:32AM]

REFERRED TO PUBLIC FACILITIES COMMITTEE

Public hearing to be assigned for May 6, 2015

- #98-15 NATIONAL GRID petitioning for a grant of location to install and maintain 70' \pm of 4" gas main in OAK AVENUE from the existing 4" gas main at 34 Oak Avenue northerly to 25 Oak Avenue for a new gas service. (Ward 3) [03/31/15 @ 12:15 PM]

Public hearing to be assigned for May 6, 2015

- #99-15 NATIONAL GRID petitioning for a grant of location to install and maintain 125' \pm of 6" gas main in HARDING STREET from the existing 6" gas main at 119 Harding Street northerly to 131 Harding Street to provide gas service to 127 and 131 Harding Street. (Ward 3) [04/08/15 @ 8:32 AM]

- #100-15 ALD. NORTON, SANGIOLO, LEARY, AND ALBRIGHT requesting that the Administration pursue municipal aggregation of energy purchasing with the goals of reducing and/or stabilizing electricity costs for resident, businesses and the City; and requiring the purchase of Class 1 RECs at some percentage above the level required by the Massachusetts Renewable Portfolio Standard. [04/06/15 @ 9:12 AM]

REFERRED TO FINANCE COMMITTEE

- #101-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of thirty-five thousand dollars (\$35,000) from Veteran Services Salaries Account to Veteran Services Benefits Account. 04/13/15 @ 9:07 PM]
- #102-15 HIS HONOR THE MAYOR requesting authorization to accept and appropriate the sum of thirty-nine thousand dollars and fifty cents (\$39,000.50) from the inter-agency agreements executed between the City of Newton and agencies of the Brookline-Newton-Waltham-Watertown Homelessness Consortium (Continuum of Care) for services provided by the City of Newton as the lead agency for this program. [04/13/15 @ 3:03 PM]

The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

Public hearing to be assigned for May 4, 2015

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #375-14(3) HIS HONOR THE MAYOR submitting recommended FY2016 Water, Sewer Storm Water Rates for implementation on July 1, 2015, as follows:

Fiscal Year 2016 Tiers & Rates for Water and Sewer

<u>HCF Per Quarter</u>	<u>Water Rate Per HCF</u>	<u>Sewer Rate Per HCF</u>
0-10	\$6.30	\$9.50
11-25	\$7.00	\$10.00
26-60	\$8.40	\$12.00
>60	\$10.00	\$14.00
Irrigation	\$10.00	

Storm Water Flat Fees

	<u>Fiscal Year 2015</u>	<u>Fiscal Year 2016</u>
Residential	\$25.00	\$75.00
Commercial	\$150.00	\$200.00

[04/14/15 @ 1:04 PM]

The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

REFERRED TO LAND USE AND FINANCE COMMITTEES

- #375-14(5) HIS HONOR THE MAYOR requesting that Sec. 17-3. **Fees for certain licenses and permits.** of the Revised Ordinances of the City of Newton, 2012, relative to Special Permit fees, be amended by striking in (15)a) "\$350.00" and in (15b) "\$750.00" and by substituting "\$500.00" and "\$1,000.00," respectively, and by deleting (15c) in its entirety and re-lettering d) to c) and e) to d), effective July 1, 2015. [04/15/15 @ 4:57 PM]

The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

#375-14(6) HIS HONOR THE MAYOR requesting that Sec. 17-6 **Fees for building, electrical, gas and plumbing permits.** of the Revised Ordinances of the City of Newton, 2012 be amended by deleting the section and inserting the following in to take effect July 1, 2015:

The fees for all building permits shall be computed at a rate of \$20.00 per one thousand dollars (\$1,000) of estimated construction cost or any fraction thereof, provided however, that in no event shall the fee be less than the minimum fee set out below.

PERMIT FEE SCHEDULE

All fees are "Per \$1,000.00 of Construction or Fraction Thereof"

1. Minimum Permit Fee – Residential (1 & 2 Family)	\$50.00
2. Minimum Permit Fee – Residential (3 Family and Up)	\$100.00
3. Minimum Permit Fee – Commercial	\$100.00
4. Building Permit (Including Signs)	\$20.00
5. Electrical Permit	\$20.00
6. Plumbing Permit	\$20.00
7. Gas Permit	\$20.00
8. Mechanical Permit	\$20.00
9. Demolition Permit	\$20.00
10. Sprinkler Permit	\$20.00
11. All other work requiring permits	\$20.00

If at any point, work has started before the issuance of a permit, the required fee shall be doubled.

RE-INSPECTION FEE SCHEDULE

1. Re-inspection fee –first re-inspection	\$50.00
2. Re-inspection fee – second and subsequent re-inspection	\$100.00

CERTIFICATION OF USE AND OCCUPANCY FEE SCHEDULE

1. Temporary or Partial Certificate of Use and Occupancy, per unit, per month	\$50.00
2. Condominium Certificate of Inspection (not required for new construction)	\$100.00

Estimated Construction Costs shall be computed by multiplying the gross floor area (sq. ft.) by the average square foot costs as published in the latest edition of "Means Cost Data" by R.S. Means Co., Duxbury, MA or other similar recognized national survey data. [04/15/15 @ 4:57 PM]

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #103-15 COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of one million fifty-seven thousand dollars (\$1,057,000) from the Community Preservation Fund to the control of the Director of Planning & Development, to create additional units of permanently affordable housing through the Newton Homebuyer Assistance Program, as described in the proposal submitted in March 2015. 04/13/15 @ 10:18 AM]

REFERRED TO ZONING & PLANNING, LAND USE AND FINANCE COMMITTEES

- #104-15 ALD. JOHNSON, LAREDO, AND GENTILE requesting a report from the Planning Department with the following information: How many of the affordable units developed at Commonwealth Avenue, Pearl Street, and Eddy Street qualify to be included on the State's Subsidized Housing Inventory List. If a property is not currently on the list, what can be done to make it eligible. [04/09/15 @ 12:00PM]

The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #375-14(2) HIS HONOR THE MAYOR submitting in accordance with Section 5-1 of the City of Newton Charter the FY16 Municipal/School Operating Budget totaling \$361,997,264 passage of which shall be concurrent with the FY16-FY20 Capital Improvement Program (#375-14). [04/15/15 @ 5:08 PM]
EFFECTIVE DATE OF SUBMISSION 04/21/15; LAST DATE TO PASS THE BUDGET 06/05/15

The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #375-14(4) HIS HONOR THE MAYOR submitting the FY 2016 – FY 2020 Supplemental Capital Improvement Plan. [04/15/15 @ 4:57 PM]

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, please contact the Newton ADA Coordinator, John Lojek, at least two days in advance of the meeting: jlojek@newtonma.gov or 617-796-1145. For Telecommunications Relay Service dial 711.